



APPLICATION GRANTED
SO ORDERED *Vern Bro*
VERNON S. BRODERICK
U.S.D.J. 10/12/23

October 11, 2023

BY ECF

Honorable Vernon S. Broderick
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: Bowditch v. Fordham Univesity, et. ano., 23 CV 4001 (VSB)

Your Honor,

I represent Plaintiff Julius Bowditch in the above-referenced matter. I write to respectfully request an extension of the time for Plaintiff to submit his opposition to Defendant Fordham University's ("Fordham") Motion to Dismiss in accordance with the proposed schedule for amending the Complaint and briefing set forth below. I have conferred with counsel for all parties, and all parties consent to the proposed schedule. The basis for this request is that Mr. Bowditch recently received a Notice of Right to Sue from the Equal Employment Opportunity Commission. As a result, Mr. Bowditch will amend his Complaint to include federal claims. Based on Defendant Fordham's Motion to Dismiss the current Complaint, Plaintiff expected Defendant Fordham to seek dismissal of the additional claims as well. Plaintiff conferred with Defendants to devise a schedule to allow Plaintiff to file an amended complaint, allow Defendant Fordham an opportunity to supplement or amend its previously filed motion, or in the case of Defendant Benavides, file a motion or otherwise respond to the amended complaint. This will allow Plaintiff to oppose a single motion from each Defendant, and present the Court with a single motion from each defendant, rather than serial motions to dismiss.

After discussion amongst counsel for all parties, Defendants consent to the following proposed schedule:

Plaintiff's Amended Complaint to be filed:	October 25, 2023
Defendant Fordham's Supplemental Motion and Defendant Benavides's Response to the Amended Complaint (answer or otherwise) to be filed:	December 1, 2023

Plaintiff's Opposition Papers to Defendants
Defendants' Reply Papers


December 27, 2023
January 12, 2024

This request should affect no other dates scheduled in this matter. Lastly, Plaintiff apologizes for the timing of this request. The undersigned was involved in a hearing last week that required a significant amount of attention, and due to scheduling conflicts related to the Holiday weekend, the parties conferred yesterday, October 10, 2023, and this morning, October 11, 2023.

Based on the foregoing, Plaintiff respectfully requests that the above schedule be entered in this matter.

Plaintiff thanks the Court for its consideration of this matter.

Respectfully submitted,



Joshua J. Lax, Esq.